

IN THE UNITED STATES DISTRICT COURT  
 FOR THE MIDDLE DISTRICT OF ALABAMA  
 NORTHERN DIVISION

JULIUS MARKS, #191 094,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:12-CV-933-WKW
	)	[WO]
B/R/ M.P.D./ M.C.D.F /A.E.C./	)	
A.S.B./, A.D.O.C./ A.F.C.H./	)	
C.R.A./ A.D.A./, D.O.C., <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

The Magistrate Judge entered a Recommendation (Doc. # 6) in this case to which no timely objections have been filed. After a review of the Recommendation, and after an independent review of the entire record, the court finds that the Recommendation should be adopted. Accordingly, it is ORDERED that:

1. The Recommendation (Doc. # 6) of the Magistrate Judge is ADOPTED;
2. The 42 U.S.C. § 1983 claims presented against Defendants are DISMISSED without prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i), (ii) and/or (iii);
3. Plaintiff’s challenges to the constitutionality of the conviction(s) and sentence imposed upon him by the Circuit Court for Montgomery County, Alabama,

are DISMISSED without prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii) as such claims are not properly before the court at this time; and

4. This case is DISMISSED prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i)-(iii).

A separate judgment shall issue.

DONE this 14th day of December, 2012.

/s/ W. Keith Watkins  
CHIEF UNITED STATES DISTRICT JUDGE